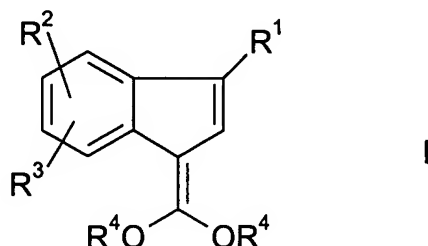
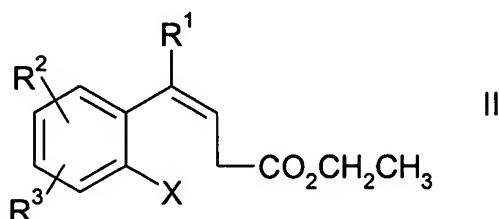


IN THE CLAIMS (37 CFR 1.121 Revised)

1. (Currently Amended) A improved process for preparing a compound of the formula



which comprises (a) conducting a solvent-free reaction between a compound of formula



and a monohydric alcohol of formula $R^4 OH$ wherein R^4 is C_1 to C_6 alkyl or a dihydric alcohol wherein said dihydric alcohol is selected from the group consisting of ethylene glycol, 1,3-propylene glycol, and 1,2-propylene glycol, or dihydric alcohol in the presence of sulfuric acid; and

(b) treating the reaction product with a base and water to neutralize residual sulfuric acid;

wherein R^1 is an electron withdrawing group selected from the group consisting of cyano, alkoxycarbonyl, alkylcarbonyl, aryl, nitro, trifluoromethyl, and sulfonyl;

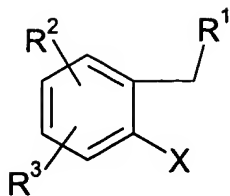
R^2 and R^3 are selected independently from hydrogen, C_1 - C_5 alkyl, C_1 - C_5 alkoxy, trifluoromethyl, halogen, sulfonyl alkyl, alkyamino, amide, ester, aryl-alkyl, hetero-alkyl and arly-alkoxy;

or R^2 and R^3 together with the carbon atoms to which they are attached form a monocyclic or bicyclic ring;

and each R^4 is independently C_1 to C_6 alkyl or two R^4 groups together form a C_2 to C_3 alkylene bridge; and X is selected from the group consisting of chlorine, bromine, and iodine.

2. (Cancelled)

3. (Original) The process according to claim 1 wherein said compound of formula II is prepared by (a) reacting a compound of formula III



III

with ethyl 3-ethoxyacrylate in the presence of a catalyst and an inert water miscible solvent and
• (b) completely removing said solvent upon completion of said reaction; wherein

R¹ is an electron withdrawing group selected from the group consisting of cyano, alkoxycarbonyl, alkylcarbonyl, arylcarbonyl, aryl, nitro, trifluoromethyl, and sulfonyl; and X is selected from the group consisting of chlorine, bromine, and iodine; and

R² and R³ are selected independently from hydrogen, C₁ to C₅ alkyl, C₁ to C₅ alkoxy, trifluoromethyl, halogen, sulfonyl alkyl, alkyamino, amide, ester, aryl-alkyl, hetero-alkyl and aryl-alkoxy;

or R² and R³ together with carbon atoms to which they are attached form a monocyclic or bicyclic ring.

4. (Original) The process according to claim 3 wherein said catalyst is a mixture of palladium II acetate, tricyclohexylphosphine, and a base.

5. (Original) The process according to claim 3 wherein said solvent is removed by distillation.

6. (Currently Amended) The process according to claim 2 wherein said alcohol is a dihydric alcohol selected from the group consisting of ethylene glycol, 1,3-propylene glycol, and 1,2-propylene glycol.

7. (Original) The process according to claim 6 wherein said dihydric alcohol is ethylene glycol.

8. (Original) The process of claim 3 wherein said inert water miscible solvent is selected from the group consisting of tetrahydrofuran, 2-methyltetrahydrofuran, and 1,2- dimethoxy ethane.

9. (Original) The process according to claim 8 wherein said inert water miscible organic solvent is tetrahydrofuran.

10. (Original) The process according to claim 1 wherein said base is ammonium hydroxide.
11. (Original) The process according to claim 1 wherein the compound of the formula I is 3-[1,3] dioxolan-2-yliden-3H-indene-1-carbonitrile.
12. (Original) The process according to claim 4 wherein said base is an alkoxide of a Group I metal.
13. (Original) The process according to claim 12, wherein said base is sodium t-butoxide.